

EXHIBIT 13



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/007,542	05/13/2005	6331415	22338-10230	7585

47554 7590 02/10/2009

SIDLEY AUSTIN LLP
ATTN: DC PATENT DOCKETING
1501 K STREET, NW
WASHINGTON, DC 20005

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 02/10/2009

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

DO NOT USE IN PALM PRINTER

(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

LISA V. MUELLER
WOOD PHILLIPS KATZ CLARK & MORTIMER
3800 WEST MADISON STREET, SUITE 3800
CHICAGO, IL 60661

MAILED

FEB 11 2009

CENTRAL REEXAMINATION UNIT

***EX PARTE* REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/007,542 & 90/007,859

PATENT NO. 6331415

ART UNIT 3991.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

Ex Parte Reexamination Interview Summary	Control No. 90/007,859 & 90/007,542 #0283	Patent Under Reexamination 6331415	
	Examiner Padmashri Ponnaluri	Art Unit 3991	

All participants (USPTO personnel, patent owner, patent owner's representative):

(1) Padmashri Ponnaluri, Deborah Jones (3) Jeffrey Kushan

(2) Evelyn Huang, Brenda Brumback (4) Wendy Lee

Date of Interview: 10 February 2009

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal (copy given to: 1) ☐ patent owner 2) ☒ patent owner's representative *faxed to*

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.
Any other agreement(s) are set forth below under "Description of the general nature of what was agreed to..."

Claim(s) discussed: 1-33.

Identification of prior art discussed: prior art of record.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:
See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims patentable, if available, must be attached. Also, where no copy of the amendments that would render the claims patentable is available, a summary thereof must be attached.)

A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION MUST INCLUDE PATENT OWNER'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. (See MPEP § 2281). IF A RESPONSE TO THE LAST OFFICE ACTION HAS ALREADY BEEN FILED, THEN PATENT OWNER IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO PROVIDE THE MANDATORY STATEMENT OF THE SUBSTANCE OF THE INTERVIEW (37 CFR 1.560(b)). THE REQUIREMENT FOR PATENT OWNER'S STATEMENT CAN NOT BE WAIVED. EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).

pad 2/10/09

cc: Requester (if third party requester)

Continuation of Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed the term "immunoglobulin molecule" in claims 1 and 33. Based on the prosecution history, declarations presented in the present case, and Interference record of the present Cabilly Patent, the "immunoglobulin molecule" is considered to be a immunologically functional immunoglobulin molecule. Regarding Claim 21, discussed the possibility of amending the claim to include in step d), "so that said immunoglobulin heavy and light chain are produced as separate molecules in said host cell."

INFORMATION DISCLOSURE STATEMENT	Docket No. 22338-10230, -10231	Control No: 90/ 007,542 90/ 007,859
	Inventor(s): Cabilly, US 6,331,415	Examiner: P. Ponnaluri
	Filed: 13 May 2005 ('542) 23 December 2005 ('859)	Art Unit: 3991

OTHER DOCUMENTS

INITIAL	INDEX	CITATION
	M1	Huber R. <i>Klin. Wochenschr.</i> 58: 1217-31, 1980. Spatial structure of immunoglobulin molecules.
	M2	Putnam F.W. <i>Science</i> 163: 633-43, 1969. Immunoglobulin structure: variability and homology.

EXAMINER	DATE CONSIDERED
Initial if a citation is considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.	
Form PTO-1449 (modified) SHEET 1 OF 1	